

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 RENO-TAHOE SPECIALITY, INC., a Nevada  
5 corporation,

6 Plaintiff,

7 vs.

8 MUNGCHI, INC., a California corporation; TOP  
9 DESIGN, a California business entity, KYUNG  
10 SU LEE, an individual,

11 Defendants.

2:12-cv-01051-GMN-VCF

**REPORT AND RECOMMENDATION**

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13 Before the court are Plaintiff Reno-Tahoe Specialty, Inc.'s ("RTSI") Motion for Attorneys' Fees  
14 (#120) and Motion to Seal Plaintiff's Motion for Leave to File Under Seal Certain Exhibits and  
15 Information in Support of Its Motion for Attorney's Fees (#123). To date, no opposition has been filed.

16 **Background:**

17 On November 12, 2014, the court conducted trial and ruled in favor of RTSI on its claims for  
18 copyright infringement, removal or alteration of copyright management information, and unfair  
19 competition under the Lanham Act. (#117). The Clerk's Judgment in favor of RTSI was entered on  
20 December 24, 2014. (#118). Plaintiff filed its Motion for Attorneys' Fees on January 7, 2015. (#120).

21 **Analysis**

22 Pursuant to Local Rules 7-2(d), "[t]he failure of an opposing party to file points and authorities in  
23 response to any motion shall constitute a consent to the granting of the motion." To date, no opposition  
24 has been filed; thus, Defendants have consented to the granting of the instant motion under Local Rule 7-  
25 2(d).

1 The Copyright Act expressly provides for prevailing parties in copyright actions to recover their  
 2 full costs, including reasonable attorneys' fees. 17 U.S.C. § 505. Specifically, § 505 provides as follows:

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 4 In any civil action under this title, the court in its discretion may allow the  
 5 recovery of full costs by or against any party other than the United States or an  
 6 officer thereof. Except as otherwise provided by this title, the court may also  
 7 award a reasonable attorney's fee to the prevailing party as part of the costs.

8 Here, the Court has reviewed Mr. John L. Krieger's Memorandum of Fees and Costs and  
 9 Supporting Affidavit of Counsel (#121) and finds that the total attorneys' fees and costs requested are  
 10 reasonable.

11 The following amounts are awarded:

1. Attorneys' Fees	\$110,663.91
2. Costs	\$ 4,746.97
Total	\$115,410.88


12 Accordingly,

13 IT IS HEREBY RECOMMENDED that Plaintiff Reno-Tahoe Specialty, Inc.'s Motion for  
 14 Attorneys' Fees (#120) is GRANTED.

15 IT IS FURTHER RECOMMENDED that Plaintiff Reno-Tahoe Specialty, Inc. is awarded  
 16 \$115,410.88 in attorneys' fees and costs.

17 IT IS FURTHER ORDERED that Plaintiff's Motion for Leave to File Under Seal Certain Exhibits  
 18 and Information in Support of Its motion for Attorneys' Fees (#123) is GRANTED.

19 DATED this 13th day of February, 2015.

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23 CAM FERENBACH  
 24 UNITED STATES MAGISTRATE JUDGE  
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